



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
Boston, MA 02109-3912

January 17, 2012

John F. Nicholls, Vice Chair
Water Resources Panel
National Life Records Center
Drawer 20
Montpelier, VT 05620

Re: Review and Action on Water Quality Standards Revision

Dear Mr. Nicholls:

By letter of December 29, 2011, the Vermont Natural Resources Board ("Board") submitted a revision to its surface Water Quality Standards rule for United States Environmental Protection Agency ("EPA") review. The Board adopted the revision on December 13, 2011, and Vermont's Chief Assistant Attorney General certified the revision on December 20, 2011 as having been duly adopted pursuant to state law. EPA has completed its review of the submitted revision.

Pursuant to Section 303(c)(2) of the Clean Water Act and 40 C.F.R. Part 131, I hereby approve the addition of Section 1-04(C) to the Vermont Water Quality Standards rule, which authorizes the use of compliance schedules in Vermont National Pollution Discharge Elimination System permits. The purpose of such a schedule is, where appropriate, to afford a permittee adequate time to comply with permit requirements that are based on new, newly interpreted, or revised water quality standards. This addition to the rule is consistent with EPA's interpretation of the circumstances under which such compliance schedules may be provided consistent with the federal Clean Water Act.

We look forward to continued cooperation with Vermont in the development, review and approval of WQS pursuant to our responsibilities under the Clean Water Act. Please contact Ellen Weitzler, at 617-918-1582, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen S. Perkins", is written over a horizontal line.

Stephen S. Perkins, Director
Office of Ecosystem Protection

cc: John Hasen, Vermont Natural Resources Board
Mary Borg, Vermont Department of Environmental Conservation
Thomas Chapman, US FWS
Mary Colligan, NOAA Protected Resources Division
Peter Colosi, NOAA Habitat Conservation Division
Tracey Bone, EPA